

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

|                               |   |                                |
|-------------------------------|---|--------------------------------|
| DAVITA M. KEY,                | ) |                                |
|                               | ) |                                |
| Plaintiff,                    | ) |                                |
|                               | ) |                                |
| v.                            | ) | CIVIL ACT. NO. 2:19-cv-767-ECM |
|                               | ) |                                |
| HYUNDAI MOTOR MANUFACTURING,  | ) |                                |
| ALABAMA, LLC, <i>et al.</i> , | ) |                                |
|                               | ) |                                |
| Defendants.                   | ) |                                |

**DEFENDANT DYNAMIC SECURITY, INC.’S OBJECTIONS TO**  
**DEFENDANT HYUNDAI ENG AMERICA, INC.’S EXHIBIT LIST**

Defendant Dynamic Security, Inc.’s (“Dynamic”) hereby submits its objections to exhibits included in Defendant Hyundai Eng America, Inc. (“HEA”) Exhibit List (doc. 97) in compliance with the Uniform Scheduling Order (doc. 51) entered November 19, 2021, as amended by the Court’s Order entered March 28, 2022. (Doc. 57).

Dynamic reserves the right to supplement, modify, or withdraw any of the objections made herein. In addition, Dynamic reserves the right to object to the limited admissibility of any exhibit and to interpose objections to any exhibit that may have previously been identified as exhibits by Defendant HEA based on pretrial rulings and rulings during the course of the trial and to object to any exhibit not identified by witnesses at trial. Finally, Dynamic reserves the right to interpose a

specific objection at trial to any exhibit that was not previously identified by Defendant HEA or was inaccurately described.

**Dynamic's Objections to Exhibits HEA Expects to Use at Trial**

| <b>Exhibit Number</b> | <b>Exhibit Description</b>  | <b>Bates numbers</b>         | <b>Objections to Exhibits</b>  |
|-----------------------|---|------------------------------|--|
| HEA 001               | Appearance Standards for Security Personnel                               | HEA0001-0003                 |  |
| HEA 002               | Hyundai Eng America, Inc. – Appearance Standards for Security Contractors | HEA0163-0166                 |  |
| HEA 003               | HEA Employee Handbook   | HEA0004-0048                 |  |
| HEA 004               | Photos of Davita Key's hair   | Key000271-000276 and HEA0193 | <p>Relevancy -FRE<sup>1</sup><br/>401, 402</p> <p>The Eleventh Circuit has held that dreadlocks are not an immutable characteristic associated with race but are a mutable hairstyle choice. <i>EEOC v. Catastrophic Management Solutions</i>, 852 F.2d 1018 (11<sup>th</sup> Cir. 2016). Therefore, pictures of</p> |

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<sup>1</sup> Federal Rules of Evidence

|  |  |  |   |
|--|--|--|---|
|  |  |  | <p>Plaintiff's dreadlocks are not relevant to her race discrimination termination claim. FRE 401, 402. Pictures would also serve to unfairly prejudice Dynamic, confuse the issues, and mislead the jury because dreadlocks, regardless of how styled, is not an immutable trait associated with race. FRE 403.</p> |
|--|--|--|---|

**Dynamic's Objections to Exhibits HEA May Use If the Need Arises**

|         |   |                  |  |
|---------|---|------------------|--|
| HEA 005 | Davita Key Dynamic Security Paycheck<br>8/22/2017                         | Key000001        |  |
| HEA 006 | Davita Key Resume   | Key000034-000036 |  |
| HEA 007 | Davita Key Kelly Services Pay Records                                     | Key000114-000127 |  |
| HEA 008 | Davita Key Pike Road Schools Pay Records                                  | Key000128        |  |
| HEA 009 | December 6, 2021 Plaintiff's Response to Defendant HMMA's Interrogatories |                  |  |

|         |  |  |  |
|---------|--|--|--|
| HEA 010 | January 14, 2022<br>Plaintiff's Supplemental<br>Response to Defendant<br>HMMA's Interrogatories    |  |  |
| HEA 011 | January 28, 2022<br>Plaintiff's Supplemental<br>Response to Defendant<br>HMMA's Interrogatories    |  |  |
| HEA 012 | Plaintiff's Response to<br>Defendant Dynamic<br>Security Inc.'s First<br>Request<br>for Admissions |  |  |
| HEA 013 | Plaintiff's Response to<br>Defendant Dynamic<br>Security Inc.'s First<br>Interrogatories           |  |  |
| HEA 014 | Plaintiff's Discovery<br>Responses to HEA  |  |  |
| HEA 015 | June 20, 2022 Deposition<br>of Davita Key  |  | Dynamic<br>incorporates<br>herein its<br>objections to this<br>deposition<br>testimony<br>contained in<br>Defendant<br>Dynamic Security,<br>Inc.'s Objections<br>to Deposition<br>Testimony<br>Designations. The<br>deposition<br>testimony contains<br>hearsay,<br>speculation,<br>testimony that |

|         |   |           |  |
|---------|---|-----------|--|
|         |   |           | lacks foundation and is not based on personal knowledge, and irrelevant information. |
| HEA 016 | Declaration of Gloria Robinson                    | Doc. 68-5 |  |
|         | Any documents needed for impeachment or rebuttal. |           |  |

Respectfully submitted,

/s/ Susan W. Bullock

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**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that on 9th day of February, 2023, she electronically filed a true and correct copy of the foregoing with the Clerk of Court using the CM/ECF System which will send notification of such filing to:

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